

at least one radar-equipped towboat for every 50 vessels.

(2) Each towboat required must be:

- (i) Able to secure any breakaways;
- (ii) Capable of safely withdrawing or moving any vessel at the fleeting or mooring facility;
- (iii) Immediately operational;
- (iv) Radio-equipped;
- (v) No less than 800 horsepower;
- (vi) Within 500 yards of the vessels.

(3) The person in charge of each towboat required must maintain a continuous guard on the frequency specified by current Federal Communications Commission regulations found in 47 CFR part 83; a continuous watch on the vessels moored at facility; and report any breakaway as soon as possible to the COTP via telephone, radio or other means of rapid communication.

(h) Transient vessels will not be permitted to seek safe haven in the RNA except in accordance with a pre-arranged agreement between the vessel and a facility within the RNA.

(i) *Penalties.* Failure to comply with this section may result in civil or criminal penalties pursuant to the Ports and Waterways Safety Act, 33 U.S.C. 1221 *et seq.*

[USCG-2009-0139, 79 FR 21135, Apr. 15, 2014]

§ 165.839 Safety Zone; Large Cruise Ships; Lower Mississippi River, Southwest Pass Sea Buoy to Mile Marker 96.0, New Orleans, LA.

(a) *Location.* Within the Lower Mississippi River and Southwest Pass, moving safety zones are established around all large cruise ships transiting between the Southwest Pass Entrance Lighted Buoy “SW”, at approximate position 28°52’42” N, 89°25’54” W [NAD 83] and Lower Mississippi River mile marker 96.0 in New Orleans, Louisiana. The moving safety zone extends bank to bank, encompassing all waters one-mile ahead and one-mile astern of a large cruise ship. The zone remains in effect during the entire transit of the large cruise ship.

(b) *Definitions.* As used in this section the term “large cruise ship” is defined as a vessel over 100 feet in length, carrying more than 500 passengers for hire, making a voyage lasting more than 24 hours, any part of which is on the high seas, and for which passengers

are embarked or disembarked in the United States or its territories.

(c) *Regulations.* (1) In accordance with the general regulations in 33 CFR Part 165, Subpart C, no person or vessel may enter or remain in the Safety Zone except for vessels authorized by the Captain of the Port or Designated Representatives, except as provided for in paragraph (c)(3) of this section.

(2) For this section the Pilot directing the movement of the large cruise ship under the authority of the master has the authority to allow other vessels to enter the safety zone when necessary.

(3) All vessels are prohibited from entering this safety zone unless authorized as follows:

(i) Vessels that have made suitable passing or overtaking arrangements with the pilot onboard the large cruise ship may enter into this safety zone in accordance with those agreed upon arrangements.

(ii) Moored vessels or vessels anchored in a designated anchorage area may remain in their current moored or anchored position while the large cruise ship transits the area.

(iii) Barge Fleets or vessels working a fleet may continue their current operations while the large cruise ship transits the area.

(4) Vessels requiring a deviation from this rule must request permission from the Captain of the Port New Orleans. The Captain of the Port New Orleans may be contacted at (504) 365-2210.

[USCG-2010-0012, 77 FR 65818, Oct. 31, 2012]

§ 165.840 Regulated Navigation Area, Gulf of Mexico: Mississippi Canyon Block 20, South of New Orleans, LA.

(a) *Location.* The following area is a Regulated Navigation Area: A 300-foot diameter area at the water surface centered on the following coordinates: 28°56’12.619” N, 008°58’10.303” W, and extending the entire water column from the surface to the seabed.

(b) *Regulations.* (1) In accordance with the general regulations in § 165.11 of this part, all vessels are prohibited from anchoring, mooring, fishing, or otherwise loitering in the above described area except as authorized by the Captain of the Port, New Orleans.

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(2) Persons or vessels requiring deviations from this rule must request permission from the Captain of the Port New Orleans. The Captain of the Port New Orleans may be contacted by telephone at (504) 365-2200.

[USCG-2013-0064, 78 FR 59236, Sept. 26, 2013]

§ 165.841 Safety Zone; Barge Launches; Gulfport Lake; Gulfport, MS.

(a) *Location.* The following area is a safety zone: Gulfport Lake, to include all waters between an eastern boundary represented by positions 30° 25' 37.2" N, 089° 03' 09.7" W to 30° 25' 27.0" N, 089° 03' 09.7" W and a western boundary represented by positions 30° 25' 35.4" N, 089° 03' 45.7" W to 30° 25' 28.8" N, 089° 03' 45.7" W.

(b) *Effective period and enforcement dates.* This safety zone is effective immediately on December 24, 2013 and enforceable through actual notice beginning November 8, 2013. The COTP Mobile or a designated representative will inform the public through broadcast notice to mariners of enforcement periods for the safety zone, giving at least 24 hour notice before enforcement begins. Enforcement periods are expected to occur once a month for approximately two (2) hours.

(c) *Regulations.* (1) In accordance with the general regulations in §165.23 of this part, entry into this zone is prohibited unless authorized by the Captain of the Port Mobile or a designated representative.

(2) Persons or vessels desiring to enter into or passage through the zone must request permission from the Captain of the Port Mobile or a designated representative. They may be contacted on VHF-FM channels 16 or by telephone at 251-441-5976.

(3) If permission is granted, all persons and vessels shall comply with the instructions of the Captain of the Port or designated representative.

(d) *Informational broadcasts.* The Captain of the Port or a designated representative will inform the public through broadcast notices to mariners of the enforcement period for the safety zone as well as any changes that may occur.

[USCG-2013-0837, 78 FR 77597, Dec. 24, 2013]

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EFFECTIVE DATE NOTE: By USCG-2013-0837, 78 FR 77597, Dec. 24, 2013, §165.841 was added, effective from Dec. 24, 2013, through Dec. 31, 2016.

NINTH COAST GUARD DISTRICT

§ 165.T09-0140 Safety Zone; USA Triathlon, Milwaukee Harbor, Milwaukee, Wisconsin.

(a) *Location.* All waters of Milwaukee Harbor, including Lakeshore inlet and Discovery World Marina, west of a line across the entrance to the Discovery World Marina connecting 43°02'15.1" N, 087°53'37.4" W and 43°01'44.2" N, 087°53'44.6" W (NAD 83).

(b) *Effective period.* This section is effective from August 1, 2013, until August 30, 2014. This safety zone will be enforced for periods in August 2013 and 2014. The Captain of the Port, Lake Michigan, will establish an enforcement schedule via a Notice of Enforcement when the exact dates are known. The Captain of the Port, Lake Michigan, will also establish the 2014 enforcement schedule via a Notice of Enforcement.

(c) *Regulations.* (1) In accordance with the general regulations in §165.23 of this part, entry into, transiting, or anchoring within this safety zone is prohibited unless authorized by the Captain of the Port, Lake Michigan or his designated on-scene representative.

(2) This safety zone is closed to all vessel traffic, except as may be permitted by the Captain of the Port, Lake Michigan or his designated representative.

(3) The "on-scene representative" of the Captain of the Port, Lake Michigan is any Coast Guard commissioned, warrant or petty officer who has been his designated by the Captain of the Port, Lake Michigan to act on his behalf.

(4) Vessel operators desiring to enter or operate within the safety zone shall contact the Captain of the Port, Lake Michigan or his on-scene representative to obtain permission to do so.

(5) The Captain of the Port, Lake Michigan or his on-scene representative may be contacted via VHF Channel 16. Vessel operators given permission to enter or operate in the safety zone must comply with all directions given to them by the Captain of the